



Fish & Richardson P.C.
500 Arguello Street, Suite 400
Redwood City, CA 94063
650 839 5070 main
650 839 5071 fax

VIA ECF

July 10, 2023

Hon. Katharine H. Parker
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Provisionally granted subject to the court's review of the proposed redactions to ensure they meet applicable standards for filing under seal.

APPLICATION GRANTED

Hon. Katharine H. Parker, U.S.M.J.

Re: *Spectrum Dynamics Medical Limited (Plaintiff) v. GE et al. (Defendants)*; 07/12/2023
Case No.: 18-cv-11386 (VSB)

Dear Judge Parker:

Pursuant to Federal Rule of Civil Procedure 5.2(e), Your Honor's Individual Rule of Practice III(d), and the parties' Stipulated Protective Order (ECF No. 156), the parties jointly request permission for Spectrum to (1) file in redacted form its Reply in Support of its Motion Seeking to Pierce Privilege Based on the Crime-Fraud Exception and Challenging Defendants' Claw-Back and (2) file under seal Exhibits CC and DD thereto.

Throughout its Reply, Spectrum references and quotes internal GE documents and GE witness testimony, all of which GE has designated as Highly Confidential under the parties' Stipulated Protective Order. Likewise, Exhibit CC is an internal GE document that GE has designated as Highly Confidential under the parties' Stipulated Protective Order. And Exhibit DD is an excerpt of the deposition transcript of Mr. Yaron Hefetz, which GE has provisionally designated as Highly Confidential under the parties' Stipulated Protective Order. The Stipulated Protective Order defines "Highly Confidential" information as "highly sensitive 'CONFIDENTIAL' Information or Items, disclosure of which to another Party or Non-Party would create a substantial risk of serious harm that could not be avoided by less restrictive means, including but not limited to any form of trade secret or other confidential research, development, financial or commercial information within the meaning of Federal Rule of Civil Procedure 26(c)(1)(G)." ECF No. 156 ¶ 9.

Accordingly, the parties respectfully request permission for Spectrum to file its Reply in redacted form and Exhibits CC and DD thereto under seal.



Hon. Katharine H. Parker
July 10, 2023
Page 2

Respectfully Submitted,

/s/ Esha Bandyopadhyay
Esha Bandyopadhyay (*Pro Hac Vice*)
Fish & Richardson P.C.
500 Arguello Street, Suite 400
Redwood City, CA 94063
Tel: 650 839 5070
Fax: 650 839 5071
Email: bandyopadhyay@fr.com

Michael F. Autuoro (MA 2932)
Fish & Richardson P.C.
7 Times Square, 20th Floor
New York, NY 10036
Tel: 212 765 5070
Fax: 212 258 2291
Email: autuoro@fr.com

Roger A. Denning (*Pro Hac Vice*)
Fish & Richardson P.C.
12860 El Camino Real, Suite 400
San Diego, CA 92130
Tel: 858 678 5070
Fax: 858 678 5099
Email: denning@fr.com

Adam J. Kessel (*Pro Hac Vice*)
Alexander M. Pechette (*Pro Hac Vice*)
Philip K. Chen (*Pro Hac Vice*)
Fish & Richardson P.C.
One Marina Park Drive
Boston, MA 02210
Tel: 617 542 5070
Fax: 617 542 8906
Email: kessel@fr.com;
pechette@fr.com; pchen@fr.com

Attorneys for Plaintiff
Spectrum Dynamics Medical Limited

/s/ Jesse Jenike-Godshalk
Marla R. Butler
THOMPSON HINE LLP
Two Alliance Center
3560 Lenox Road NE, Suite 1600
Atlanta, Georgia 30326
Tel.: (404) 541-2900
Fax: (404) 541-2905
Marla.butler@ThompsonHine.com

Jesse Jenike-Godshalk (*pro hac vice*)
312 Walnut Street, Suite 2000
Cincinnati, Ohio 45202
Tel.: (513) 352-6700
Fax: (513) 241-4771
Jesse.Godshalk@ThompsonHine.com

Jeffrey Metzcar (*pro hac vice*)
Discovery Place
10050 Innovation Drive
Miamisburg, Ohio 45342
Tel.: (937) 443-6841
Fax: (937) 430-3781
Jeff.Metzcar@ThompsonHine.com

Brian Lanciault
300 Madison Avenue, 27th Floor
New York, New York 10017
Tel.: (212) 344-5680
Fax: (212) 344-6101
Brian.Lanciault@ThompsonHine.com

*Attorneys for Defendants General
Electric Company, GE Healthcare, Inc.,
and GE Medical Systems, Israel Ltd.*

cc: All counsel of record (via ECF)